



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

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February 25, 2003

TO: Doug Sutherland, Commissioner of Public Lands
FROM: Marty Brown, Director
SUBJECT: Department of Natural Resources Report Incident Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines For Reporting Incidents to the Office of Financial Management (OFM), the Department of Natural Resources (DNR) submitted an Incident Report to OFM. The Report notifies OFM that on September 8, 2002, a man was killed while riding his ATV in the Tahuya State Forest. Excessive speed and alcohol use were suspected causes of the accident. The Washington State Patrol, Mason County Sheriff's Office and DNR law enforcement officers investigated the incident.

The investigations concluded that the ATV driver was under the influence of alcohol with a .15 BAC. He was driving at an estimated speed of 50-60 mph on a road restricted to licensed street vehicles with a posted speed limit of 25 mph. The investigations found that the dirt and gravel road was in good condition and is secured on both ends by a locked gate. The investigators also tested the posted speed limit and found that vehicles complying with that speed (and at least 10 mph faster than the posted speed limit) would have no difficulty navigating the road.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director, in his or her discretion, determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident you reported does not merit review. This incident did result in a death, however it does not significantly relate to agency systems or practices. There does not appear to be a history of this type of incident and risk of future occurrence is low. Comprehensive internal and external reviews were conducted such that a further review would not add value at this time.

This decision will be posted on the OFM Web site. If you have any questions about the criteria or its application to this incident, please contact either Roselyn Marcus at (360) 902-7396 or Gary Robinson at (360) 902-0528.

cc: Jim Smego, Risk Manager
Roselyn Marcus, Loss Prevention Review Team Manager